

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. _____

EARTHSOURCE, INC.,

Plaintiff

v.

THE TOWN OF RAYNHAM,
GORDON D. LUCIANO,
DONALD L. MCKINNON,
RAYMOND W. PLATT,
individually & as members of
the Raynham Board of Health,

Defendants

10373 REK
LOCAL RULE 7.1
CERTIFICATE OF
COMPLIANCE

04 CV 10373 REK

Now comes the undersigned defense counsel, and hereby certifies that he conferred in a good faith effort to resolve or narrow the issues set forth in the Motion to Enlarge Time to File a Response. Specifically, I conferred with Attorney Michael Morizio by telephone on Friday, February 20, 2004 to advise him that I was going to serve him with the Motion pursuant to Superior Court Rule 9A, as the matter was pending in state court at the time. He indicated that he would not assent to the Motion. Upon making the decision to remove the case to the U.S. District Court and file the Motion directly with the Court as warranted by the Federal Rules of Civil Procedure, I telephoned Attorney Morizio in the afternoon of Tuesday, February 24, 2004 and left him a message to that effect. I did not receive a response from Attorney Morizio prior to filing the Motion.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by (Hand) (mail) on 2-27-04

Mark R. Reich

Mark R. Reich

Mark R. Reich (BBO #553212)
Joseph L. Tehan, Jr. (BBO# 494020)
Kopelman and Paige, P.C.
31 St. James Avenue
Boston, MA 02116
(617) 556-0007